

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**CRIMINAL NO. 3:04CR269-1**

**UNITED STATES OF AMERICA**

**VS.**

**PAUL SAMARAS**  
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**ORDER**

**THIS MATTER** is before the Court on Defendant's motion for a modification of his judgment to include a recommendation by the Court that the Defendant be designated by the Bureau of Prisons (BOP) to a prison facility near the Denver, Colorado, area.

It was the practice of the undersigned to routinely grant such requests. However, because the availability of prison space has become so acute and due to the fact that BOP utilizes a number of factors when considering a designation, such recommendations by the Court have been largely ignored. Because amendment of the Defendant's judgment would be futile for the reasons set forth herein,

**IT IS, THEREFORE, ORDERED** that the Defendant's motion is  
**DENIED.**

Signed: July 20, 2007

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

